

3. I have served my country for over 10 years, having been on Active Duty before going on Reserves, and planned to serve another 15 years and maximize my retirement benefits.

4. The military has rewarded me with fifteen (15) medals for my service, including two Air and Space Commendation Medals, an Air and Space Achievement Medal, and an Air Force Good Conduct Medal.

5. Until receiving a Letter of Reprimand for not getting the COVID-19 vaccination, I have never been disciplined by the Air Force, nor has there ever been cause to discipline me for any reason.

6. I am a Christian, and the Bible is the authoritative text for my faith. My religious conscience is formed by biblical teachings, the counsel of church leaders, Scripture, and prayer.

7. Based on these sources, I believe my body is the temple of the Holy Spirit that must be kept pure (1 Cor. 3:16-17), and injection of a foreign substance containing in some cases aborted fetal cells, animal parts, carcinogens, and chemical waste, violates this mandate (Genesis 9:4, Leviticus 17:11, 17:14, Deuteronomy 12:23, Leviticus 17:10, Acts 15:20, and Acts 15:29).

8. On November 1, 2021 I submitted a request for religious accommodation to the requirement that I take the COVID-19 vaccination. (Exhibit 1, attached).

9. I received notice of the denial of my request for religious accommodation on or about January 18, 2022. (Ex. 2, attached.)

10. I timely appealed that denial on January 22, 2022. (Ex. 3, attached.) Before filing my appeal, I telephoned the Director of Staff to ask about the process for appeals, the options available to me, and any additional resources that might be of assistance in preparing my appeal. The Director interrupted my questions to inform me that that there had not been a single exemption granted in the Air Force, and although I had a right to appeal, it was highly likely that

it would be denied. In fact, he left no doubt that my appeal would be denied, and I would then have to take the vaccine.

11. As the Director had predicted, on February 17, 2022, I received notice of the final denial of the appeal of my religious accommodation request (Ex. 4, attached).

12. Because I was not eligible for retirement, the only options I was given were to either take the vaccine or to face discipline.

13. On March 2, 2022, I was informed that I was being promoted, but warned again that to fulfill the duties of the new position and continue serving in the Air Force I would be required to comply with the vaccine mandate.

14. On January 18, 2022, I had tested positive for COVID-19, and have since fully recovered. I continue to maximize telework and remote work, wear a mask, and practice social distancing when inside the office or traveling. Additionally, in my civilian job I screen weekly for COVID-19.

15. In my home state of California as well as under CDC guidance, those who have tested positive for COVID-19 and are no longer symptomatic are advised to wait 90 days to take the vaccine. I therefore requested an extension of the deadline for compliance with the mandate. In addition, I had been informed that I had five days after final denial of my appeal to “initiate” the process, and that it must be completed no later than seven weeks from receipt of the denial. (*See Ex. 2, ¶¶ 2 and 3.*)

16. I therefore scheduled an appointment to take the vaccine, under duress, because even though it went against my religion, I did not believe I could give up my livelihood at this time, because I have a wife and children to provide for and I am the sole provider in my family. I

was unable to keep my appointment, however, due to a scheduling conflict with my civilian job. I therefore rescheduled my appointment to take the vaccine.

17. Nevertheless, on March 18, 2022, I was issued a Letter of Reprimand for failure to timely comply with the order to obtain the vaccine (Ex. 6, attached). I was given forty-five (45) days to submit comments or documents for consideration. The specific punishment to be meted out was not set forth.

18. If I am discharged, I stand to lose my health insurance, my Air Force salary, future retirement and lifetime medical benefits, as well as opportunities for advancement.

19. I do not oppose all vaccines. I oppose the currently available COVID-19 vaccines for religious reasons.

20. I am aware of the following military orders purportedly requiring me to take the vaccine:

- a. Department of Defense August 24, 2021 Order (Ex. 1 to Doc. 2-2);
- b. Department of Air Force September 3, 2021 Order (Ex. 2 to Doc. 2-2);
- c. Department of Air Force December 7, 2021 Supplemental Vaccine Policy (attached as Ex. 5).

21. I am aware of AFI 48-110 (Ex. 7 to Doc. 2-2), an Air Force instruction.

22. I am also aware of reported information publicly available from the Air Force, including <https://www.af.mil/News/Article-Display/Article/2959594/daf-covid-19-statistics-march-29-2022/>, relating to religious accommodation requests.

23. Based on information publicly available from the Air Force, including <https://www.af.mil/News/Article-Display/Article/2959594/daf-covid-19-statistics-march-29-2022/>

[2022/](#), I understand that the Air Force currently recognizes at least 1,102 medical accommodations.

24. Further, also based on information publicly available from the Air Force, including <https://www.af.mil/News/Article-Display/Article/2959594/daf-covid-19-statistics-march-29-2022/>, I understand the Air Force currently recognizes at least 1,407 administrative accommodations.

25. Based on information publicly available from the Air Force, including <https://www.af.mil/News/Article-Display/Article/2959594/daf-covid-19-statistics-march-29-2022/>, I understand that at least 96.5% of Air Force service members have received COVID-19 vaccinations.

26. I am not aware of any military branch (including the Air Force, Navy, Army, Marines, and Coast Guard) granting any religious accommodation requests to service members not already slated for separation, and I'm aware that the Pentagon's Inspector General is investigating whether the military's process for considering and denying religious accommodation requests to COVID-19 vaccination complies with its own protocols. <https://www.military.com/daily-news/2022/03/02/pentagon-watchdog-investigate-militarys-covid-19-exemption-process.html>.

27. My request for a religious exemption would not seriously impact my ability to perform my duties. As a reservist, I work only one day each month and two weeks each year. Throughout the pandemic, senior OSI leaders have strongly encouraged telework, rather than coming into an office. In fact, I live in a different state than that in which my base is located, and have not had to set foot inside the office at headquarters for years. I work out of an isolated,

single-person office and was never a threat to the mission and maintained good health throughout the pandemic. Furthermore, numerous vacancies have been advertised that are 100% telework.

28. Moreover, the OSI has civilian agents who perform virtually identical duties to mine. But the federal civilian mandate was enjoined by a federal court in Texas, and ever since the OSI civilian agents have not been required to take the vaccine yet have been allowed to continue working, upon information and belief, without any additional restraints imposed upon them.

29. In addition, with our current capabilities, all meetings and trainings are either telephonic, Zoom, Microsoft Teams, WebEx, etc., and there is always an option to dial in by phone. All official documents can be digitally signed, and everyone has become accustomed to conducting business through email/phone, and most prefer the flexibility of continuing to work in a highly socially distanced environment. In short, in my current position there are virtually no physical interactions with others and COVID-19 is not a factor.

30. The OSI Reserve Common Training Assembly (“CTA”) took place on January 8-9, 2022, and was entirely virtual. OSI senior leaders described the virtual event as highly successful, the first in over twelve years, and an extremely effective forum for hundreds of OSI Individual Mobilization Augmentees (“IMAs”) that were geographically dispersed throughout the U.S. and abroad to “meet” with OSI leaders and other Air Force leaders who may have not had the opportunity to travel to a similar, in-person meeting. During the virtual CTA, it was reiterated to us that due to a limited budget, OSI IMAs will not be provided any specialized training, nor be sent to any additional courses. Due to the slowed-down deployment tempo, IMA’s would likely not get the opportunity to deploy.

31. I have maintained and continue to maintain protocols for health and safety, I have no known comorbidities, and to my knowledge I have not transmitted COVID-19 to others.

32. My Air Force career has been entirely in the interest of military readiness, unit cohesion, good order, discipline, health, and safety.

33. Based on Facebook comments that I am aware of related to the WMAZ and WGXA news reports about Air Force Officer and this case (Docs. 48 and 49), and based on numerous other public statements made by individuals in government or the media that are critical of people not taking the COVID-19 vaccine, I am concerned about serious social stigmatization and my personal safety and security.

34. I have talked with others in the military who expressed to me that they want to speak out in opposition to the vaccine mandates but are afraid to do so.

35. The attached exhibits are redacted to remove some personal identifiers.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 30, 2022.

/s/Air Force Special Agent
Air Force Special Agent